

REMARKS

Amendments to the Specification

Applicants have amended the specification of the present application to correct informalities, inconsistencies and typographical errors. Accordingly, it is believed that all amendments to the specification are fully supported by the disclosure, figures and the claims originally filed, and, as such, no new matter has been added. The references provided in connection with the amendments are only representative citations in the application that speak to or support the amendment.

For the sake of consistency, the word "flexible member" has been amended to recite "flexible membrane" on pages 4, 5 and 19. Support for this amendment can be found on, for example, page 3, lines 13-17, FIG. 8, page 5, lines 25-27, page 6, lines 10-13, page 10, lines 20-24, page 11, lines 1-3, page 11, lines 10-12, page 11, line 30 to page 12, line 1, page 12, lines 3-4, page 12, lines 7-16, page 13, lines 4-5, page 13, lines 20-21, page 14, lines 14-24, page 15, lines 7-14, page 15, lines 25-28, page 16, lines 17-20 and page 17, line 30 to page 18, line 2.

Proper references to figures have been made on page 10 and page 13.

Amendments to the Claims

Claims 1-4, 6-9 and 12 have been cancelled.

Claims 16 and 19 have been rewritten in independent form by incorporating the limitations of base claim 1. Corrections for punctuation and inconsistency in the usage of the word "flexible member" have been appropriately made. Since claims 17-18 and 20 depend from an amended claim that is now allowable in independent form, specifically claim 16 and 19, respectively, claims 17-18 and 20 are in condition for allowance.

To remove any ambiguity in the phrase "wafer carrier base" in claims 16, 17 and 19, this phrase has been amended to more accurately recite "wafer carrier head base". Support can be found on, for example, page 10, line 19 to page 14, line 14.

New claims 21-39 have been added.

Support for newly added claims 21-27 can be found on, for example, page 10, lines 17-30 and FIGS. 13A-13B.

Support for new claims 28-37 can be found on, for example, page 19, lines 3-16, FIG. 12, page 13, lines 22-28 and page 14, lines 3-7.

New claims 38-39 find support on, for example, FIGS. 5 and 6A-6C, page 13, lines 22-28 and page 14, lines 3-7.

Amendments to the Drawings

Figure 9A has been amended to point out “closed bladder 95” disclosed in the present application on, for example, page 10, lines 16-26 and page 12, lines 7-17. Accordingly, no new matter has been added.

Attached hereto is a marked-up version of now amended figure 9A.

Rejection of claims 7 and 8 under 35 U.S.C. § 112(2)

Claims 7 and 8 are rejected under 35 U.S.C. § 112(2), as being indefinite for depending on a cancelled claim. Since Applicants have cancelled claims 7 and 8 to overcome a provisional rejection based on statutory type double patenting, the Examiner’s rejections to claims 7 and 8 are accordingly deemed moot.

Provisional Rejection Based on Statutory Type Double Patenting

Claims 1-4, 6-9 and 12 have been provisionally rejected based on statutory type double patenting under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-4, 6-9 and 12 of co-pending application no. 09/628,563 (“the ‘563 application”).

Pursuant to 37 C.F.R. § 1.78(b), Applicants have canceled conflicting claims 1-4, 6-9 and 12 of the '563 application to overcome the provisional statutory type double patenting rejection in the present application.

Allowable Subject Matter

Applicants have rewritten claims 16 and 19 in independent form including all of the limitations of base claim 1 and correcting for punctuation, the inconsistent use of the word "flexible member" to denote "flexible membrane" and the ambiguity associated with the phrase "wafer carrier base". Since independent claims 16 and 19 are now deemed allowable, claims 17-18 and claims 20, which depend therefrom, respectively, should also be allowable.

CONCLUSION

In view of the foregoing, Applicants submit that the aforementioned claims are now in condition for allowance and respectfully request an early and favorable action. If any matters can be resolved by telephone, the Examiner is invited to call the undersigned attorney at the telephone number listed below. The Commissioner is hereby authorized to charge any other fees determined to be due to Dorsey & Whitney's Deposit Account 50-2319 (Order No. A-69175/MSS (463035-650)).

Respectfully submitted,
DORSEY & WHITNEY LLP



Maria S. Swiatek, Reg. No. 37,244

Customer No.: 32940
4 Embarcadero Center, Suite 3400,
San Francisco, CA 94111-4187
Telephone: (650) 494-8700
Facsimile: (650) 494-8771